

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

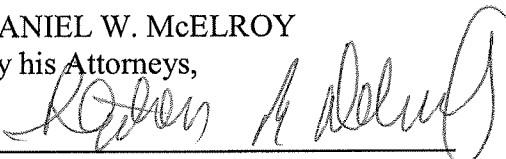
UNITED STATES OF AMERICA)
v.)
DANIEL W. McELROY and)
AIMEE J. KING McELROY')
)

**DEFENDANT, DANIEL W. MCELROY'S MOTION FOR A
DOWNWARD VARIANCE**

The Defendant, Daniel W. McElroy, moves for a Downward Variance pursuant to 18 U.S.C. 3553 for the reasons stated in his accompanying Sentencing Memorandum.

Respectfully submitted,

DANIEL W. McELROY
By his Attorneys,


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DATED: July 14, 2008

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on *July 14, 2008*.